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C O N F I D E N T I A L SECTION 01 OF 02 PRAGUE 000138

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TAGS: [EUN](#) [EZ](#) [EG](#) [PGOV](#) [PREL](#) [PHUM](#)
SUBJECT: CZECH EU PRESIDENCY: VISIT BY INTERIOR MINISTER
LANGER ON GUANTANAMO

REF: A. PRAGUE 91
[1](#)B. BRUSSELS 159

Classified By: Acting DCM Stuart Hatcher for reasons 1.4 (b) and (d).

[1](#)1. (SBU) Summary: On March 6 Acting DCM Stuart Hatcher and emboffs met with Czech Ministry of Interior officials at the request of the Czechs to discuss the upcoming visit of Minister of Interior Ivan Langer to the United States March 15-17. While the EU Justice and Interior Ministers, like the EU FMs in January, have emphasized that it is up to individual member states to decide whether or not they will accept former detainees, the EU is still considering how best to address security considerations related to detainees and the free movement of persons within the Schengen zone. This visit offers the USG an opportunity to engage key interlocutors who have the ability to influence the way the EU crafts its "umbrella" framework, as well as address the latest EU questions. End Summary.

Decision to Take Detainees a Member State Competence, but...

[1](#)2. (SBU) Czech Ministry of Interior Security Policy officer Mlada Princova noted that the EU Justice and Home Affairs (JHA) Ministerial on February 25-26 was the first chance Interior and Justice Ministers had to discuss the topic of Guantanamo detainees, following the January 26-27 discussion of the EU Foreign Ministers at the GAERC. She noted that at the JHA Ministerial, which she attended, there was widespread acknowledgment that this is a member state competency, and thus the decision to accept detainees will be left to individual member states.

[1](#)3. (SBU) Princova did comment, however, that much of the discussion at the JHA focused on what type of common approach or "umbrella" the EU might establish to address concerns related to the free movement of persons within the Schengen zone. Czech MoI Security Policy Director Martin Linhart noted that the EU approach may remain as simple as coordination and information sharing or it could evolve into a more robust EU common position. (Note: Based on Czech comments, it appears that the European Commission is more inclined toward a robust approach than any of the individual EU member states. End Note.) In addition, the Czechs pressed for the USG to share as much information as possible with the EU member states about the detainees, commenting that this would likely help ameliorate member states "fear of the unknown" about these detainees.

Timeline

[1](#)4. (SBU) Following the February JHA ministerial, Princova noted that there have been several subsequent meetings at

lower levels and that these will continue the week of March 9 when both COPS and COREPER (Thursday March 12) meet in Brussels. After the discussions this week and the visit to the U.S. March 15, the Czechs expect this issue to return to COREPER and to be taken up subsequently by the EU FMs at the GAERC and then the April U.S.-EU JHA Ministerial. Emboffs referenced Ambassador Williamsons' trips to Brussels and many EU member states in mid-February and his previous offer to speak to the COREPER Ambassadors as the EU shapes its approach, if the EU would find this useful.

What the Czechs Want from Langer-Barrot Trip to U.S.

15. (SBU) Czech MoI Security Policy Director Martin Linhart stated that the Czechs are particularly interested in several aspects of the detainee issue during the U.S. visit. Several times during the discussion on March 6 they referenced their interest in knowing about experiences with ex-detainees. They are also keenly interested in where things stand with the current USG review that the Attorney General is chairing, how the USG sees the next steps, and how many detainees the USG will accept into our general population. In advance of the trip to the U.S. Linhart noted that the Czechs are pulling together a thematic list of questions that they plan to raise (Note: Linhart shared this list of questions with Embassy Prague on March 9. These questions, which will be further refined at COREPER on March 12 are listed below in para 5. End Note.) Linhart also flagged for us that the EU would be exploring within COREPER what other types of assistance the EU might be able to credibly provide and that they would welcome USG suggestions. (Note: This could

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involve the possibility of support for rule of law training, work with NGOs in third countries, or even support for rehabilitation programs in countries taking detainees. End Note.)

Preliminary Czech MoI Questions

16. (SBU) Begin Text from MoI:
Following our Friday discussion on the Guantanamo closure and the visit of our minister and the European Commission to Washington, DC, I am sending you the preliminary general topics for discussion. The aim of the mission is to get the updated information on the state of play concerning the Guantanamo detention closure and to give a solid background for the debates on the EU level. Please, treat the following topics as informal and preliminary - the discussion of the EU Member States will be held on 12 March.
-- State of play (review process of detainees' status, conditions at Guantanamo, timetable, legal basis, following steps of the US administration concerning particular categories). Experience collected with detainees already resettled.
-- Information on the detainees (number, criteria and conditions under which the detainees were designated for respective categories, criteria and conditions under which the detainees were designated as a "low threat"). What information the U.S. is willing to share on the detainees that will be resettled in the EU? Are the detainees informed on their status and situation?
-- Other possible forms of the EU assistance to the U.S. in Guantanamo closure.
-- Future co-operation - exchange of information, experience sharing, etc. Will the U.S. cooperate with the countries willing to accept the detainees (financial assistance, etc.)?
-- Are the international organizations such as the ICRC or UNHCR already involved in the process of the Guantanamo closure.
End of Text from MoI.

17. (C) Comment: Based on the comments of Czech MoI officials, it appears that from now until mid-April could be

the critical time within which the EU begins to really define an "umbrella" EU framework. How the EU shapes this framework could greatly enhance or hamper EU member states willingness and/or ability to accept detainees. This March 15-17 visit by the Commission and the EU Presidency is an opportunity to persuade European interlocutors to take a leadership role within the EU to advance a key USG priority, especially considering how welcome any signs of progress would be prior to the April 5 U.S.-EU Informal Summit. End Comment.
Thompson-Jones